Statement Expressing Concern About the Indian Government Targeting U.S. Organizations, Scholars & Activists

We, the undersigned, express our concerns about recent actions taken by the state of Tripura, India, with the support of the Indian government, to suppress and chill advocacy by U.S. based organizations, scholars, and activists.

In October 2021, organized mobs attacked Muslims, Muslim-owned businesses, and mosques in Tripura. Major news outlets, including *The New York Times*, *The Washington Post* and *BBC*, reported on the violence and the subsequent targeting of India based journalists who covered it. Many in the U.S. expressed their concern by reaching out to U.S. elected officials, issuing statements, and posting on social media.

On November 3, the Tripura police filed a criminal complaint alleging that a U.S. based advocacy organization, the Indian American Muslim Council ("IAMC"), and U.S. scholars and activists, among others, posted "objectionable and distorted" content on social media about the violence. The complaint claimed that the posts sought to promote "enmity between religious groups/communities," and provoke "different religious communities to cause breach of public peace." It also alleged a criminal conspiracy to disrepute the Tripura police, Tripura government, and the integrity of India in violation of the Unlawful Activities (Prevention) Act of 1967. At least one social media company, Twitter, provided information about the social media accounts named in the complaint, after receiving a demand letter from the state of Tripura. Twitter contends that they were obligated to turn over this data under Indian law.

The complaint unfairly targets U.S.-based nonprofits and others, curtails internet freedom, and chills protected speech.

Nonprofits Should Be Able to Advocate Freely

Nonprofits have a long history of organizing and advocating freely in the U.S. They play a vital role in the democratic process by helping to shape domestic and foreign policy, and most critically, advocating for human rights and the rights of marginalized communities across the world. This was the case here. On November 3, IAMC tweeted:

> *"IAMC urges @POTUS to immediately condemn the mass violence against Muslims that has been raging for the last five days in the Indian state of Tripura, in which half a dozen mosques have been set on fire by Hindu extremists allied to Indian PM Narendra Modi's party. 1/3*
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> *"It is deeply disappointing that @SecBlinken & his @StateDept have failed to publicly condemn the ongoing targeted violence against India's religious minorities being carried out by Hindu extremists belonging to VHP and the Bajrang Dal, which are the militias of the RSS. 2/3*

> *"IAMC urges @SecBlinken to immediately condemn the violence in Tripura and convey to the Indian Government unequivocally that the US will not tolerate such violence against Muslims. 3/3"*

This is the tweet identified in the complaint by the state of Tripura, and yet this is precisely the kind of advocacy we need and expect from nonprofits. If the Indian government were to have its way, foreign states could simply hire lobbyists and public relations firms and wield near-monopolistic influence in shaping public opinion and policy about their countries. Foreign governments must not be allowed to impede the rights of U.S. nonprofit organizations, nor should they be permitted to interfere in the U.S. democratic process.

Internet Freedom Must Be Respected

Free expression is a human right that must be respected, including online. Advocacy organizations, in particular, use social media to educate, inform, and organize, and to counter false and harmful narratives. Yet governments across the world are arresting users for nonviolent speech, suspending internet access, blocking access to social media platforms, and adopting rules to suppress free expression. This is especially true in India, which leads the world in internet blackouts, regularly arrests journalists and citizens for reporting, and requires platforms like Twitter, Facebook, and WhatsApp to remove content within 36 hours of receiving a removal legal order. The targeting of U.S.-based advocacy organizations, scholars, and activists is the latest example of online suppression. This is particularly dangerous because minority communities and advocates in India sometimes turn to outside organizations for support because of suppression and censorship at home. U.S.-based companies, like Twitter, have a heightened obligation to protect users, and should not comply with any laws that compromise the integrity of U.S. organizations. The U.S. government too should ensure that users are protected, in the U.S. and across the world.

Chilling Effect

This pattern of suppression will have a chilling effect on U.S. organizations, scholars, and activists. When they post online or make statements in the future, they may fear that they will be named in a criminal complaint; may not be able to enter India, or face arrest upon arrival; their loved ones and friends in India may face reprisal; or those who amplify their posts in India could be targeted. One of the primary purposes of the complaint is indeed to silence those who challenge the Indian State and its policies. Left unchecked, the government of India will target others, and other countries may follow their example.

Demands

We therefore urge the U.S. government to:

1) Condemn the state of Tripura and the Indian government for targeting organizations, scholars, and activists for protected free speech, including those based in the U.S.

2) Emphasize the importance of nonprofit organizations registered and based in the U.S. to be able to engage in advocacy without interference or restraint.
3) Demand that all charges be dropped by the state of Tripura.
4) Demand that the government of India respect Internet freedom and free expression online for users across the world, including in the U.S.
5) Demand that social media companies safeguard the digital rights of all users, including U.S. users.
6) Express solidarity with all those advocating for civil and human rights in India.

Signed,

American Muslim Bar Association
American Muslim Empowerment Network (AMEN)
Americans For Kashmir
Charity & Security Network
Defending Rights and Dissent
Ensaaf
Hindus for Human Rights (HfHR)
India Civil Watch International (ICWI)
Indian American Muslim Council (IAMC)
International Commission for Dalit Rights (ICDR)
International Society for Peace and Justice
Islamophobia Studies Center
Justice For All
Justice for Muslims Collective (JMC)
Kashmir Scholars Consultative and Action Network (KSCAN)
No Separate Justice
Project South
Sakhi for South Asian Women
SASMHA (South Asian Sexual and Mental Health Alliance)
Sikh Coalition
South Asian Americans Leading Together (SAALT)
Stand with Kashmir (SWK)
US Campaign for Palestinian Rights (USCPR)